

SAMUELS AND NORTHROP CO., LPA

ATTORNEYS AT LAW

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February 15, 1994

Jeffery M. Trevino  
Assistant Regional Counsel  
United States Environmental  
Protection Agency  
Region 5  
77 West Jackson  
Chicago, Illinois 60604-3590

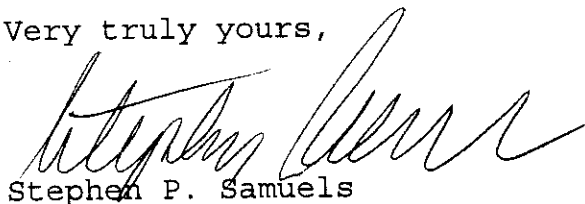
RE: Marion Steel Company, Marion, Ohio  
Docket No. TSCA-V-C-87-93

Dear Mr. Trevino:

This letter will serve to respond to the civil penalty demand that you communicated to me during our telephone conversation on January 31, 1994. Specifically, you indicated that USEPA would accept \$53,125 to resolve the violations alleged in the complaint. Although I appreciate your willingness to offer a 15% reduction in the penalty originally demanded, my client and I believe that the penalty is disproportionate to the violations alleged. As we have already spent substantial time discussing these matters on the telephone, I won't recapitulate my reasons here.

Nevertheless, Marion Steel does have an interest in resolving this proceeding quickly and amicably, if possible. To that end, my client has authorized me to offer \$15,000 to settle the pending civil administrative action.

Very truly yours,



Stephen P. Samuels

SPS/dlb

cc: Scott Conway



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

February 22, 1994

Mr. Stephen P. Samuels  
Samuels & Northrop Co., LPA  
Suite 816  
180 East Broad Street  
Columbus, Ohio 43215

Re: Marion Steel Company, Marion, Ohio  
Docket No. TSCA-V-C-87-93.

Dear Mr. Samuels:

Thank you for your recent letter, dated February 15, 1994. I am sorry to inform you that I cannot accept your client's offer of \$15,000.00 to resolve this civil administrative action. Therefore, unless you can offer some justification for reduction of the proposed civil penalty amount, based upon our PCB Penalty Policy, I suggest that we meet telephonically to begin discussing stipulations of fact and law, issues, and potential witnesses, to prepare for hearing.

Please contact me at telephone number (312) 886-6729 to schedule a time and day to meet. Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeffery M. Trevino".

Jeffery M. Trevino  
Assistant Regional Counsel



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